

From: "Wever, Erin" <Wever.Erin@epa.gov>
To: "Peterson, Piper" <Peterson.Piper@epa.gov>
Date: 10/26/2022 12:51:27 PM
Subject: RE: BNSF draft Environment Covenant South Tacoma Fields Site

Hi Piper,

I looked through the emails from Rebecca Lawson with Ecology, and it looks like Ecology will sign and then send to EPA for signature. We'll then send back to BNSF for recording and BNSF will send the recorded copy back to Ecology.

The clarification from Amsted was very helpful! After comparing the figures below with the figures/legal descriptions in the BNSF draft, I'm still not sure that the Amsted area is covered. The Amsted property looks to be in the area of Madison Street and S Proctor Street, west of the Lots 23, 24, and 25 that are covered under the BNSF covenant. Does that sound right?

I also think that in order for EPA's address to be changed, we'll have to have the document updated and BNSF will need to re-sign/initiate the signing process. I haven't dealt with this issue in a covenant before, so I've asked for clarification from my office. I don't want to bog down the process if re-signing isn't necessary, and will let you know when I have an answer!

Thanks,
Erin

From: Vieira Da Rosa, Christina <VieiraDaRosa.Christina@epa.gov>
Sent: Tuesday, October 25, 2022 5:47 PM
To: Peterson, Piper <Peterson.Piper@epa.gov>; Anderson, Ivy (ATG) <ivy.anderson@atg.wa.gov>
Cc: Wever, Erin <Wever.Erin@epa.gov>
Subject: RE: BNSF draft Environment Covenant South Tacoma Fields Site

Hi Piper,
I think Erin Wever is the site attorney for this site. I copied her here. Let me know if I can be of any further assistance.

Christina

From: Peterson, Piper <Peterson.Piper@epa.gov>
Sent: Tuesday, October 25, 2022 5:28 PM
To: Vieira Da Rosa, Christina <VieiraDaRosa.Christina@epa.gov>; Anderson, Ivy (ATG) <ivy.anderson@atg.wa.gov>
Subject: FW: BNSF draft Environment Covenant South Tacoma Fields Site

I met with the Amsted project contractor, Kennedy -Jenks and we clarified the extent of their work referred to as the Amsted Area and covers 5 parcels with a portion of this including treated and covered soils and some just being covered. It sounds to me like the work described in the UECA attached covers this Amsted Area too.

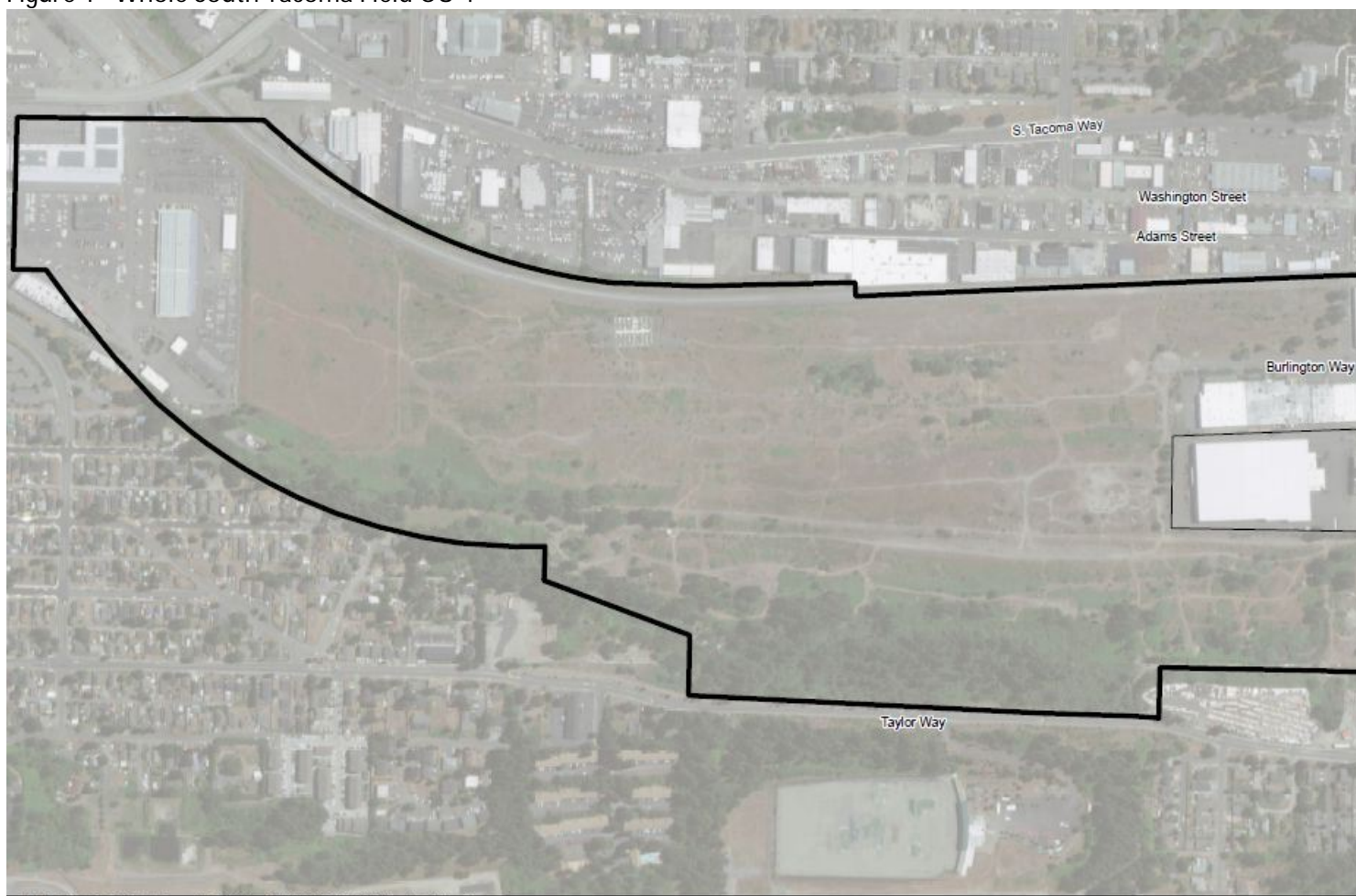
Does it look like we should be able to sign this (with the correct EPA address)?
Let me know who signs first—I believe EPA and then Ecology. We then provide this signed version to BNSF and they complete the process to get it Recorded. Please correct this if I am missing something

Thanks!

Figure 4 in SCIC attached Amsted Area



Figure 1 Whole South Tacoma Field OU 4



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

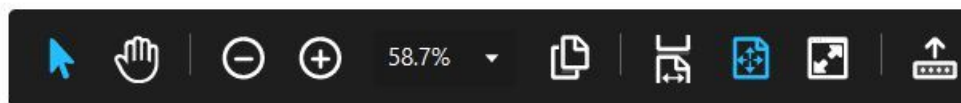
gend

- Amsted Area Boundary
- Consolidation Area
- Approximate STF OU Boundary

Notes:

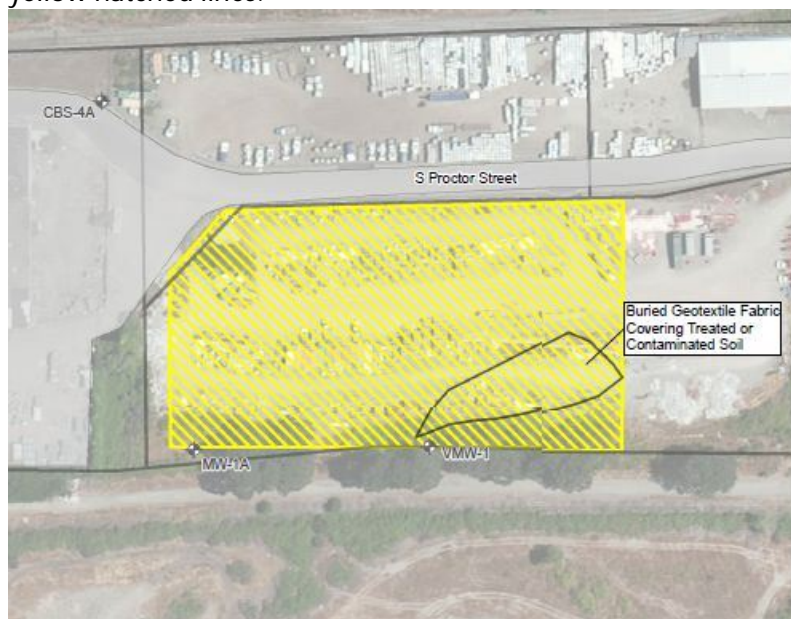
1. All locations are approximate.
2. STF = South Tacoma Field, OU = Operable Unit.

N



in

Figure 6 Consolidated Soils (Yellow hatched lines) AND Treated/Consolidated Soils within the shape noted within yellow hatched lines.



Piper Peterson

(She/Her/Hers)

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Strength Finders-Winning Others Over
(WOO), Communication, Strategic,
Ideation, Positivity;
DiSC – Di; Meyers-Briggs: ESTJ

From: Trueblood, Craig <craig.trueblood@klgates.com>

Sent: Wednesday, October 12, 2022 7:23 AM

To: Peterson, Piper <Peterson.Piper@epa.gov>

Cc: Kuhl, Brooke <brooke.kuhl@BNSF.com>; Yackulic, Ted <yackulic.ted@epa.gov>; Anderson, Ivy (ATG) <ivy.anderson@atg.wa.gov>; Macdonald, Scott <Scott.Macdonald@BNSF.com>

Subject: RE: BNSF draft Environment Covenant South Tacoma Fields Site

Piper,

BNSF and BN Leasing signed and notarized the covenant. See attached. The original document was sent on 10/3/22 to the Department of Ecology, Toxics Cleanup Program, in Olympia for further processing. Once it is signed by Ecology and EPA and returned to me, BNSF will arrange for recording. We will notify you as soon as that is completed.

Craig Trueblood
K&L Gates

From: Peterson, Piper <Peterson.Piper@epa.gov>

Sent: Tuesday, October 11, 2022 11:39 AM

To: Yackulic, Ted <yackulic.ted@epa.gov>; Anderson, Ivy (ATG) <ivy.anderson@atg.wa.gov>; Trueblood, Craig <craig.trueblood@klgates.com>

Cc: Kuhl, Brooke -EXTERNAL <brooke.kuhl@bnsf.com>

Subject: FW: BNSF draft Environment Covenant South Tacoma Fields Site

I am checking in with you all as we are a few weeks away from the Five Year Review site visit and site meeting (early November), and it would be terrific to have all this wrapped up so that we can not have any "Recommendations or Issues" identified in the FYR.

What are the next steps for getting this over the finish line?

Thanks for your assistance,
Piper



Piper Peterson

(She/Her/Hers)

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DiSC – Di; Meyers-Briggs: ESTJ

From: Yackulic, Ted <yackulic.ted@epa.gov>

Sent: Monday, May 23, 2022 4:15 PM

To: Peterson, Piper <Peterson.Piper@epa.gov>

Subject: FW: BNSF draft Environment Covenant South Tacoma Fields Site

From: Trueblood, Craig <craig.trueblood@klgates.com>

Sent: Wednesday, May 18, 2022 2:22 PM

To: Yackulic, Ted <yackulic.ted@epa.gov>; Anderson, Ivy (ATG) <ivy.anderson@atg.wa.gov>

Cc: Kuhl, Brooke <brooke.kuhl@BNSF.com>

Subject: BNSF draft Environment Covenant South Tacoma Fields Site

Ted and Ivy,

As we have discussed separately, BNSF prepared a "final draft" of the updated Environmental Covenant for the property BNSF retained following its Sept. 2021 sale of a portion of the South Tacoma Fields Site to Bridge Point Tacoma LLC. Exhibits A (Property Legal Descriptions) and B (Property Maps) are also attached. We can prepare Exhibit C (Location of Restrictions) if the attached are acceptable to both agencies.

I think the attached reflects all the comments I received from each of you. There is both a redline version (using the Ecology form Ivy provided to EPA) and a clean copy. We understand Bridge (Ken Lederman) is working directly with both agencies to develop an updated covenant for the property Bridge acquired.

Please let us know if you have any further comments, questions or concerns.

Craig T.
206-370-8368

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